

Matthew Borden, Esq. (SBN: 214323)
borden@braunhagey.com
BRAUNHAGEY & BORDEN LLP
351 California Street, 10th Floor
San Francisco, CA 94104
Tel: (415) 599-0210
Fax: (415) 276-1808

Pratik K. Raj Ghosh (*pro hac vice* forthcoming)
ghosh@brauhagey.com

Shane Kunselman (*pro hac vice* forthcoming)
kunselman@braunhagey.com

BRAUNHAGEY & BORDEN LLP
118 W 22nd Street, 12th Floor
New York, NY 10011
Tel & Fax: (646) 829-9403

Attorneys for Defendants Robert C. Higgins, Sharon E. Higgins, 3G Green Garden Group, Inc., Emerald Harvest, Inc., and Nominal Defendant 3G Green Garden Group, LLC

Michael Shklovsky, Esq. (Bar No. 255893)
Rose M. Zoia, Esq. (Bar No. 134759)
Christopher M. Mazzia, Esq. (Bar No. 95513)
ANDERSON ZEIGLER
A Professional Corporation
50 Old Courthouse Square, 5th Floor
Santa Rosa, CA 95404
Telephone: 707/545-4910
Facsimile: 707/544-0260
Email: mshklovsky@andersonzeigler.com
rzoia@andersonzeigler.com
cmazzia@andersonzeigler.com

David C. Lee, Esq. (Bar No. 193743)
Ilse C. Scott, Esq. (Bar No. 233433)
NOSSAMAN LLP
50 California Street, 34th Floor
San Francisco, CA 94111
Telephone: 415/398-3600
Facsimile: 415/398-2438
Email: dlee@nossaman.com
iscott@nossaman.com

Attorneys for Plaintiff David Pratt

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

DAVID PRATT, an individual, derivatively on behalf of 3G GREEN GARDEN GROUP, LLC D.B.A. EMERALD HARVEST, a California Limited Liability Company,

Plaintiff,

V.

ROBERT C. HIGGINS, an individual;
SHARON E. HIGGINS, an individual;
3G GREEN GARDEN GROUP, INC., a
Canadian Corporation; and EMERALD
HARVEST, INC., a Canadian Corporation,

Defendants,

-and-

3G GREEN GARDEN GROUP, LLC D.B.A.
EMERALD HARVEST, a California Limited
Liability Company,

Nominal Defendant.

Case No.: 4:22-CV-04228-HSG

**STIPULATED REQUEST FOR ORDER
EXTENDING TIME FOR DEFENDANTS
TO ANSWER OR OTHERWISE
RESPOND TO AMENDED
COMPLAINT; ORDER**

**Compl. Filed: June 15, 2022
Am. Compl. Filed: August 24, 2022**

1 Pursuant to Civil Local Rule 6-2, Defendants Robert C. Higgins, Sharon E. Higgins, 3G
2 Green Garden Group, Inc., Emerald Harvest, Inc., and 3G Green Garden Group, LLC (together,
3 "Defendants"), and Plaintiff David Pratt, by and through their respective counsel of record, hereby
4 submit this stipulated request:

5 **WHEREAS**, Plaintiff filed the Amended Complaint on August 24, 2022 [ECF #16];

6 **WHEREAS**, absent an extension of time, the deadline for Defendants to respond to
7 Plaintiff's Amended Complaint is September 7, 2022;

8 **WHEREAS**, Defendants intend to respond to Plaintiff's Amended Complaint by filing a
9 Motion to Dismiss pursuant to Fed. R. Civ. P. 12(b);

10 **WHEREAS**, the parties conferred and have determined that good cause exists for an
11 extension of time to respond to the Amended Complaint, and that good cause exists for an
12 extension of time on the opposition to the Motion to Dismiss, in light of the complexity of the
13 Motion;

14 **WHEREAS**, on July 26, 2022, the parties stipulated to extend the time for Defendants to
15 respond to the Complaint [ECF #9] and no other time modifications have been requested in this
16 case either by stipulation or by Court order;

17 **WHEREAS**, this extension will not alter the date of any event or deadline already fixed by
18 Court order and will not have any effect on the schedule for the case;

19 **NOW THEREFORE, THE PARTIES HEREBY STIPULATE AND REQUEST** that
20 the deadline for Defendants to file their Motion to Dismiss the Amended Complaint be extended to
21 September 21, 2022, and the deadline for Plaintiff's opposition to the Motion to Dismiss the
22 Amended Complaint be extended to October 19, 2022. The deadline for Defendants' reply to the
23 Motion to Dismiss the Amended Complaint shall be October 26, 2022 in accordance with Local
24 Rule 7-3.

25 **IT IS SO STIPULATED AND REQUESTED.**

26

27

28

1 Dated: September 2, 2022

Respectfully submitted,

2 By: /s/ Matthew Borden

By: /s/ David C. Lee

3 Matthew Borden, Esq.
4 BRAUNHAGEY & BORDEN LLP
5 351 California Street, 10th Floor
6 San Francisco, CA 94104
7 Telephone: (415) 599-0210
Fax: (415) 599-0210
Email: borden@braunhagey.com

David C. Lee, Esq.
NOSSAMAN LLP
50 California Street, 34th Floor
San Francisco, CA 94111
Telephone: 415/398-3600
Facsimile: 415/398-2438
Email: dlee@nossaman.com

8 Counsel for Defendants Robert C. Higgins,
Sharon E. Higgins, 3G Green Garden Group,
9 Inc., Emerald Harvest, Inc., and Nominal
Defendant 3G Green Garden Group, LLC

Counsel for Plaintiff David Pratt

11

12 **ATTESTATION OF FILER**

13 Pursuant to Civil Local Rule 5-1(h)(3), the undersigned ECF user whose identification and
14 credentials are being used to file this document hereby attests that all signatories have concurred
15 and agreed to the filing of this document.

16 By: /s/ Matthew Borden
17 Matthew Borden

18

19 **ORDER**

20 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

21

22

23 Dated: 9/6/2022

24

25

26

27

28


Hon. Haywood S. Gilliam, Jr.
United States District Judge